

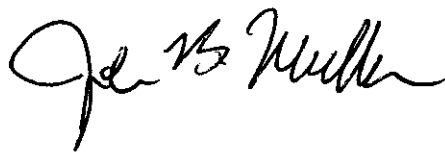
School Reform: The *No Child Left Behind Act* and How the Indiana Department of Education Plans to Comply

An Honors Thesis (HONRS 499)

by

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A handwritten signature in black ink, appearing to read "John B. Merbler". The signature is fluid and cursive, with the first name "John" being the most prominent.

Ball State University
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May 4, 2004

Date of Graduation: May 8, 2004

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Abstract

On January 8, 2002, President George W. Bush signed the *No Child Left Behind Act of 2001* into law. The *No Child Left Behind Act* is an education reform act that is designed to improve student achievement so that no child gets left behind. Each state must now comply with this new law. The Indiana Department of Education has already made many changes. In order to raise awareness about what kind of changes *No Child Left Behind* will bring, a description is given concerning a part of the new law and what the State of Indiana is going to do to comply. Areas concentrated on were closing the achievement gap, rewarding success and sanctioning failure in the schools, informing parents, improving teacher quality, expanding flexibility, improving literacy, and making schools safer.

Acknowledgements

I would like to thank Dr. Linda Hargrove for advising me during this project. She is extremely busy in the Special Education Department and the Diagnostic Learning Center and I really appreciate her willingness to help me.

I would also like to thank Dr. Michael Harvey for giving me numerous amounts of information concerning *No Child Left Behind* throughout the course of his SPCED 475 class.

Introduction

President George W. Bush feels very strongly about education reform and has put education front and center during his time in office. He has enacted the *No Child Left Behind Act of 2001* because he feels that the public schools in the United States are not providing the best education for all children. This law affects all areas of education from kindergarten through high school. The law is based on four areas: accountability for results; implementing methods that are based on scientific research; giving parents more options; and expanding local control and flexibility. President Bush and Congress both agree that carrying out this new law will benefit all teachers and students. The president feels that the children are our future and he has expressed, “Too many of our neediest children are being left behind.” *No Child Left Behind* is designed to try and improve student achievement and change the culture of all America’s schools.

Closing the Achievement Gap

Accountability, High Standards, Annual Academic Assessments

Federal

Under the *No Child Left Behind Act* (NCLBA), states must make sure all of their students are meeting high academic standards. States must achieve adequate yearly progress. In order to prove these high standards are being met, states must develop some way to measure each student's academic progress. This assessment of academic progress will be standardized tests that must be administered every year. Assessments completed annually ensure that goals are being met by schools every year.

Each state must define adequate yearly progress by stating the minimal levels of improvement that the schools must attain within specific time frames. The levels of improvement must be measurable by student performance. Each state sets a starting point based on the lowest achieving demographic group or the lowest performing school. The school then sets a goal for a level of student achievement that will be met within two years. If this goal is met, the school then shows adequate yearly progress. Goals must be raised at least every three years until all students reach the proficient level on state tests. When a school does not meet adequate yearly progress, the school must develop improvement plans (Parents Guide, 2003).

Schools must create clear, measurable goals that focus on basic skills and knowledge. Most states already have high reading and math standards set (Educational Research Services, 2001). Each state must test every child in every grade in the areas of reading and math by the 2005-06 school year. Part of this new law proposes that eventually there will also be high standards set for history and science. By the 2007-08

school year states must assess science. There has not been any timeframe set for history assessment yet. The law being revised, *Improving America's Schools Act of 1994*, stated that children only had to be tested once in grades 3-5, grades 6-9, and grades 10-12 in reading and math. The *No Child Left Behind Act* says that states must test children in grades 3-8 every year and once during grades 10-12 in the subjects of reading and math. When science assessments are put into place, students must be tested at least once in grades 3-5, grades 6-9, and grades 10-12 (Parents Guide, 2003).

Ninety-five percent of all children in each school must be tested, including children with disabilities and children with limited English proficiency. Accommodations will be provided for these students, but the accommodations must be ones they use throughout the school year; the accommodations cannot just be used on this annual assessment (Parents Guide, 2003).

Annual test scores will measure how much the students learn. The tests will show parents how well the school is educating their child and how well their child is performing in school. These annual assessments can also help schools improve their curriculum and how the curriculum is taught to students. Testing more often gives parents and schools the information needed to make sure the children achieve academic success.

Along with providing yearly assessment, states must make sure the schools are providing school report cards that provide information on how schools and students in each district performed. The state report cards must provide a basic, proficient, or advanced performance level, a two year trend for each subject and grade tested, a comparison between annual goals and actual performance, the percentage of the groups

not tested, graduation rates, the names of schools identified as needing improvement, and professional qualifications of teachers in the state. The report should also break down the results into groups considering race, gender, English language proficiency, disability, and socio-economic status (Parents Guide, 2003).

Indiana

Indiana has started to change the state's accountability, standards, and assessments to meet new federal government requirements. Indiana has decided that the 2003-04 school year will be the starting point for measuring improvement. Indiana Statewide Testing for Educational Progress-Plus (ISTEP+) is the assessment tool used by the State of Indiana. It will provide the results used in determining what goals and standards need to be raised or which subject areas need to be improved. Indiana is expecting each school to continuously improve until 90% of all students pass ISTEP+ (Indiana Accountability Plan, 2001). The state is expecting all students and groups of students to be 100% proficient in all testing areas by the 2013-14 school year (Title 511). All public and charter schools in Indiana will develop improvement plans. These plans will be reviewed by the school and the state annually. *No Child Left Behind* states that state and district report cards are required. In Indiana, each school corporation must provide a report card annually (Indiana Accountability Plan, 2001).

Data from the academic assessments must be broken down into groups considering race, gender, English language proficiency, disability, and socio-economic status. Indiana will report results of each group when data are available. The federal government says that 95% of each group of students must participate in testing. Indiana states that 95% of students are required to take state assessments and that includes

alternative forms of testing for some students with disabilities and some students with limited English proficiency (Title 511).

Indiana already has specific standards set for children in the areas of language arts, social studies, science, and mathematics, but the state does not have pre-Algebra standards. States are also required to have three levels of achievement, basic, proficient, and advanced, and currently Indiana only has two, pass and fail. A new, third group needs to be identified on the ISTEP+ test. It is proposed that Indiana use did not pass, pass, and pass+ for levels of achievement. There is a proposed process for setting standards that will include descriptions of each level of achievement (Indiana Accountability Plan, 2001).

ISTEP+ will meet all of the requirements the federal government has set for academic assessment in 2003-04 (Indiana Accountability Plan, 2001). The reading and math tests will be given every year in grades 3 through 8 and at least once during grades 10-12. It is planned that, before the 2007-08 school year, science tests will be given in grades 5, 7, and 9. A science test given in grades 10-12 will depend on Core 40 meeting certain requirements set by the state. Core 40 is a list of classes that students are required to take and pass in high school in order to graduate.

The State of Indiana must provide alternate assessments for those students who cannot take the regular assessment even with accommodations. Indiana's alternate assessment already complies with *No Child Left Behind*. The state may have to develop a test that accommodates children speaking languages other than English. *No Child Left Behind* says that limited English proficiency students must be assessed in English if they have been in United States schools for three or more consecutive years. Indiana has not

yet changed the state law regarding this. The State of Indiana has assessments that test English proficiency, but a single test needs to be selected so the whole state is using the same assessment (Indiana Accountability Plan, 2001).

Rewarding Success and Sanctioning Failure

Consequences for Failure, Rewards for Closing the Achievement Gap

Federal

No Child Left Behind mandates that states and local school districts will now be the ones to aid schools that do not raise test scores and meet predetermined goals. An action plan will be created and includes a timeframe that states when certain goals need to be reached and what happens if those goals are not reached. Schools and teachers that do well will receive accountability bonuses and rewards.

The action plan for schools that do not improve, states when improvement needs to be reached, what happens when goals are not met, and who needs to make the changes in the school. If a school does not make adequate yearly progress for two consecutive years it must be identified as “needing improvement” on the school report card. The parents then have the option of sending students to a school that is not labeled as needing improvement. School officials must develop a two-year plan to improve the school, and the school district must ensure that the school receives any technical assistance it may need to improve.

If adequate yearly progress is not made for three years, the school keeps the “school-improvement” label, which means it still needs improvement. At this point the school must provide students supplemental educational services, such as tutoring or remedial classes, from a state approved provider. The school district must still offer parents public school choice, allowing students to transfer to other schools in the district.

After four years of not making adequate yearly progress, the district must implement corrective actions to improve the school. These corrective actions may

include: replacing staff, implementing new curriculum, etc. The school must still offer public school choice and supplemental educational services.

If the school does not make adequate yearly progress after five years, the school district must restructure the school. They may have to reopen the school as a charter school, replace all/most of the staff, or turn over the school operations to a state or private company that has a record of effectiveness (Parents Guide, 2003).

If a school does well, the state must provide that school with an academic achievement award. The schools that the state names as distinguished must have made great gains in closing the achievement gap. The school's test scores will be used when determining if a school has closed achievement gaps. The state can also reward teachers in schools that receive academic achievement awards. The teachers can be financially rewarded, using Title I funds (Toolkit for Teachers, 2003).

The Educational Research Services special reprint (2001) states that there will be "No Child Left Behind" school rewards for schools that make the greatest progress in improving achievement of disadvantaged students, and accountability bonuses, a one-time bonus for states that meet accountability standards within two years of enacting a plan.

Indiana

The Indiana Department of Education has set standards and guidelines regarding the failures and successes of Indiana public and charter schools. If a school does not meet the annual objectives in language arts or mathematics, that school has not made adequate yearly progress. If the school does not meet the annual objectives during the

second school year, the school has not made adequate yearly progress for two consecutive years and the state will provide consequences. If the school does meet the annual objective during the second school year, the school has met adequate yearly progress and the timeline restarts (Title 511).

When a school in Indiana does not make adequate yearly progress for two or more consecutive years, the state has determined consequences for this lack of progress. The Indiana Accountability Plan has included these consequences:

- Merging the school with a nearby school that is in a higher category.
- Assigning a special management team to operate all or part of the school.
- Implementing the Indiana Department of Education's (IDOE's) recommendations for improving the school.
- Implementing other options for school improvement expressed at a public hearing, including closing the school.
- Revising the school's plan in any of the following areas:

Implementing changes in school procedures.

Providing professional development.

Intervention for individual teachers or administrators.

If a school corporation has most of its schools on probation, the state's accreditation system will place that whole school corporation on probation. Public charter schools can also have their charters revoked if the charter school fails to meet the targets in the school's charter.

Indiana also has rewards for schools that make achievements. There has been a rewards system in existence since 1987. These rewards are monetary and non-monetary.

Schools can receive grants for increasing ISTEP+ scores. The monetary awards are proportionate to the increase in achievement, and the schools with the greatest achievement receive the greatest per pupil award. The Indiana Department of Education has also created a Four Star school program to recognize the schools that perform the highest (Indiana's Accountability Plan Under NCLB Act, 2003).

Promoting Informed Parents

School Reports to Parents, School Choice Programs and Research, Charter Schools Federal

Parents will receive reports throughout the year to inform them on their student's achievement, individual schools achievement, transfer options, and the qualifications of every teacher at the school (Toolkit for Teachers, 2003). Report cards must be understandable and be in a language that parents can understand. Reports from state assessments will be given to parents concerning their children. Only the school and parents receive the test results of the individual child (Parents Guide, 2003). Progress reports on all student groups (race, gender, English language proficiency, disability, and socio-economic status) must be reported to the public in order for the schools to be held accountable for improving performance of all students (Educational Resource Services, 2001).

At the beginning of each school year, Annual State Report Cards will provide parents with information on the professional qualifications of teachers in the state, percentage of teachers teaching under emergency credentials, and the percentage of classes being taught by teachers who are not highly qualified. The parents will also be notified by the district about their right to request information concerning their child's teacher's qualifications (Toolkit for Teachers, 2003).

If the individual schools achievement is not improving, the parents must be notified. Parents must be notified no later than the first day of school following the year that the school was identified as not improving. Along with this notification, parents must be informed of the options available to them. All schools and districts receiving

Title I funds must provide choices for eligible students. If a school is operating at a needing improvement level for two consecutive years, the parent can transfer their child to a different public school in the district. This transfer option includes public charter schools. Another possibility for school choice eligibility is if the student has been the victim of a violent crime on the school grounds. The student who was the victim will go through the same process as the students who are at a school needing improvement. Public school options may include transfer to schools outside of the school district if the school districts have come into a cooperative agreement that would allow such transfer of students. Transportation for all school choice students must be provided by the school the student is leaving. Priority to transfer must be given to the lowest achieving children from low-income families (Parents Guide, 2003).

Charter schools are included in the school choice option. According to the *No Child Left Behind: A Parents Guide* (2003):

Charter schools are independent public schools designed and operated by parents, educators, community leaders, education entrepreneurs and others. They operate with a contract, or charter, from a public agency, such as a local or state education agency, and institution of higher education or a municipality. They must meet standards set forth in their charters for students and for the school as a whole, or else the chartering agency can close the school. (p. 25)

No Child Left Behind names public charter schools as an option because they are a good alternative to the traditional public school system. Although charter schools operate outside the traditional system, the accountability and other requirements of *No Child Left*

Behind still apply. Not all states have charter schools. Each state needs to inform parents which school districts can provide the charter school option.

Indiana

The State of Indiana finalized its procedures to make available a State Report Card. The report card will be available through the Accountability System for Academic Progress (ASAP) website, and will be available to the public at the beginning of each academic year. The Indiana Department of Education is considering providing a report to the public in Spanish. The report will include all the required data elements, and will also include information that is not required for state or local report cards. This added information will help in structuring school improvement plans and public reporting (Indiana's Accountability Plan Under NCLB Act, 2003).

The State of Indiana will provide report cards, accountability decisions, and adequate yearly progress information in a timely manner. ISTEP+ assessments are given in September and the results will be available before Thanksgiving. There will be meetings scheduled between the school and the parents of students who did not pass ISTEP+. ISTEP+ remediation will begin the second semester of school. The state will provide funding for remediation and the state will also provide funds to help students who are at-risk of failure (Indiana's Accountability Plan Under NCLB Act, 2003).

The timeline set by the Indiana Department of Education will give schools enough time to implement and notify parents about public school choice and supplemental educational services if the school does not meet the goals set for the school. The parents

will also have enough time to make informed decisions about the school and other school choice options (Indiana's Accountability Plan Under NCLB, 2003).

Improving Teacher Quality

All Students Taught by Quality Teachers, Funding What Works

Federal

One of the main goals of *No Child Left Behind* is to ensure high teacher quality. The law states the minimum qualifications a teacher needs to teach students in a public school. By the end of the 2005-06 school year, every state must have reached this goal of having every teacher highly qualified. Another goal of *No Child Left Behind* is to use methods that are proved to work and provide federal funding to support programs that are based on scientific research. It is believed that by ensuring highly qualified teachers and using methods that are researched, students will benefit and perform better in school (Toolkit for Teachers, 2003).

All public school teachers must be highly qualified including elementary school and secondary school teachers who teach core academic subjects, special education teachers, and teachers of English language learners. Charter school teachers must also be highly qualified. The basic requirements of a highly qualified teacher are: hold a bachelor's degree, obtain full state certification, demonstrate subject matter competency in the core academic subjects the teacher teaches. Full state certification is determined by each state. A teacher can also receive alternative certification that allows a person to teach while meeting state certification requirements or the state can create alternate routes to full certification. Core academic subjects include English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts (each state determines what that state considers the arts), history and geography. New teachers must demonstrate subject matter competency by passing a subject test in the area they

want to teach, successfully completing an academic major, a graduate degree, course work equivalent to an undergraduate degree, advanced certification, or credentialing. Experienced teachers must meet certification requirements; experienced teachers can not have an emergency certificate. Experienced teachers demonstrate subject matter competence by taking a subject matter test, participating in a state system of high, objective, uniform state standard of evaluation, or having a major or advanced credentials in the subject they teach (Toolkit for Teachers, 2003).

Special education teachers who teach any core academic subject must be highly qualified in that subject area. If the special education teacher does not teach the content skills and only provides consultation to other highly qualified teachers of core subjects, the special education teacher does not have to meet the highly qualified requirements. Consultation services may include adapting curricula, using behavioral supports, using interventions, or selecting accommodations (Toolkit for Teachers, 2003). Teachers of English language learners follow these same guidelines. If the teacher of English language learners is teaching a core academic subject, the teacher must be highly qualified. The teachers of English language learners must also be fluent in English and any other language they are providing instruction in, including written and oral language (Toolkit for Teachers, 2003).

Under *No Child Left Behind*, there are also requirements that paraprofessionals and teachers' aides must meet. Teachers' aides can only provide support under the supervision of a qualified teacher. The requirements of a paraprofessional or teachers' aide are: an associate's degree, two years of college, or must meet a standard of quality through a formal state or local assessment (Toolkit for Teachers, 2003).

Another part of *No Child Left Behind* is using methods in the classroom that are based on scientific research. In the past, schools have used lessons and materials that have not worked, limiting what the students were learning. *No Child Left Behind* states that the federal government will give funds to those schools that use teaching programs that are based on scientific research. Since research based programs used for teaching have a record of benefiting teachers and students, it is believed that these programs will continue working for teachers and students. Schools that continue to use practices that are not research based will not receive as much funding, and those schools probably will not meet the accountability requirements resulting in being identified as schools that are needing improvement (Toolkit for Teachers, 2003). The Department of Education's Institute of Education Sciences established the What Works Clearinghouse to provide evidence on methods that are researched and work in the classroom. What Works Clearinghouse can provide information to parents, educators, and policymakers about what techniques work and why those techniques work (Parents Guide, 2003).

Indiana

Indiana has determined which teachers are already considered to be highly qualified and what the state's teachers need to do in order to be considered highly qualified. To be considered as highly qualified a teacher needs to have full certification, a bachelor's degree, and a demonstrated competency in subject knowledge and teaching skills. The State of Indiana has determined which teachers from the following list are considered highly qualified and what the other teachers on the list need to do to become highly qualified: charter school teachers, teachers with Bulletin 400 Licenses (license

issued prior to September 1, 1985), teachers with Rules 46-47 Licenses (license issued after July 1, 1986), teachers new to the profession, transition to teaching candidates, and teachers holding a limited license. Transition to teaching candidates are people who already have the content knowledge in a licensing area and needs to take classes to obtain a teaching license. A teacher who holds a limited license can teach while attending classes to obtain a teaching license; the limited license expires after three years.

Charter school teachers in Indiana are required to meet the same certification requirements as other public school teachers in the state. If a teacher was issued a license before September 1, 1985, they were required to obtain a Master's degree prior to December 31, 1990. These teachers have full state certification and a Master's degree which means these teachers are considered to be highly qualified. Teachers issued a license after July 1, 1986 needed to pass state licensing tests prior to the issuance of the teacher's first standard license, participate in professional development, and renew the license every five years. These teachers also have full state certification and they meet the requirements of a highly qualified teacher (State Application Submission, 2003).

Teachers new to teaching and candidates for transition to teaching are required to pass rigorous state testing after completion of an undergraduate or graduate degree in the academic area in which the teacher will teach. These licenses were first issued July, 2003. When this licensing system was introduced, it was aligned with the Indiana academic standards. Teachers holding a standard license meet the definition of a highly qualified teacher for the content areas on the new teacher's license (State Application Submission, 2003).

A teacher teaching under a limited license must hold an undergraduate degree and have at least 15 undergraduate or graduate hours in the content area that the license is issued. These teachers must complete at least 6 credit hours of coursework annually to demonstrate progress towards full certification. Limited licenses can be renewed annually for a period of three years. Teachers teaching under a limited license are considered highly qualified, as long as they continue progress towards full certification. The 2003-2004 school year is the last year for the limited license; the license will be called an emergency license during the 2004-2005 school year.

Expanding Flexibility, Reducing Bureaucracy

State and Local Flexibility Options, Increased Funds for Technology

Federal

The *No Child Left Behind Act* wants to give more flexibility, authority, and freedom to the states. Schools will be able to combine federal funds with state and local funds in order to improve the entire school. The schools will be able to use their funds to target areas as needed without separate requests and approvals. Grants that overlap and are duplicated are going to be consolidated so it is easier for schools to apply and receive the grants. There will be more grants and funds for technology. (Educational Research Services, 2001) All of this will lead to less time spent filling out forms for grants and more time in the classroom meeting student needs.

States and local school districts are given more flexibility to find ways to improve teacher quality, including teacher certification and pay and bonuses for master teachers and teachers who teach in high-need subject areas (Toolkit for Teachers, 2003).

States are also expected to develop the state's own definition of "adequate yearly progress" and how it will be measured. The state determines its own minimum levels of improvement that the school districts in the state must achieve. The state determines the starting point for the schools and then the state sets the level of student achievement the schools must reach. States also determine how the teachers and schools are rewarded if the schools close the achievement gap between the school's high and low performing students (Toolkit for Teachers, 2003).

The states are also receiving educational technology state grants that must be used on high-quality professional development in integrating technology into curricula and

instruction (Toolkit for Teachers, 2003). Technology should be used in the schools to improve academic achievement. The flexibility of technology funding will allow for funds to be used for software purchases and development, wiring and technology infrastructure, and training teachers in using technology. States will be encouraged to set performance goals and to measure how technology funds are being used and how the technology is benefiting the students (Educational Research Services, 2001).

Indiana

No Child Left Behind gives Indiana and the state's school corporations more flexibility. The state is able to transfer up to fifty percent of federal dollars received for certain federal programs to other different federal programs the state may use. Funds can be transferred for teacher quality, professional development, technology, safe and drug free schools, 21st century learning centers, and innovative programs. Funds can also be transferred into Title I, but not out of Title I (Indiana's Implementation, 2003).

Flexibility will allow states and school corporations to use funds for what is most important to each individual school. For example, the 21st Century Community Learning Centers programs in Indiana can receive more funds. The programs give students and families an opportunity to continue to learn new skills after the school day has ended. The focus of the program is to provide academic enrichment activities and tutorial services for students, especially those who attend low-performing schools in high-poverty areas. The 21st Century Community Learning Center programs also provide drug and violence prevention programs, technology education programs, art, music, and recreation programs, counseling, and character education programs (21st Century, n.d.). Without giving flexibility to the states and school corporations, programs like the 21st Century

Community Learning Center may not be as effective. Since funding will be transferable to and from other programs, the programs will be more useful in the schools.

Improving Literacy

Focus on Reading in Early Childhood and in the Early Grades, Moving Limited Proficient Students to English Fluency

Federal

No Child Left Behind supports learning in the early years which may help prevent learning difficulties later in school. When children enter school with adequate language skills and pre-reading skills, children are more likely to read and do well in early grades and succeed in later grades. The government wants to provide resources that can be used for early childhood education so children start learning skills early (Toolkit for Teachers, 2003). Good reading skills can lead to success in other subjects in school besides reading. Reading is an important part of every class and it is important for all children to be able to read. *No Child Left Behind* wants to implement two new reading programs; Early Reading First and Reading First.

Early Reading First provides a high-quality education to children from low-income families who are enrolled in pre-school. These programs will benefit children's social, emotional, physical, cognitive, and language development. Early Reading First programs will help preschoolers develop and improve these skills and can also include professional staff development so the school staff will be able to identify and provide instructional materials. The programs must be based on scientific research and the programs must be frequently evaluated (Parents Guide, 2003).

Reading First is designed to help every child become a successful reader. States can receive funding to improve reading achievement. These funds will specifically be used to increase reading skills for all children in kindergarten through third grade. The

Reading First programs must be based on scientific research. Reading First awards follow a two step process:

- (1) states apply for money that is distributed on the basis of the number of low-income children aged 5-17 who live in the state
- (2) funds go to districts with the greatest needs, priority is given to states with high rates of poverty and reading failure.

When a district receives the funds, the money is flexible and can be used for diagnostic assessments, teacher professional development, purchasing reading materials, and on going support to improve reading instruction (Parents Guide, 2003).

Each state must prepare a report every year to show the greatest gains in reading, reduce the number of children in grades 1-3 who are reading below grade level, and increase the percentage of children who are reading at grade level or above. Results of assessments will show how effective Reading First will be (Parents Guide, 2003).

Another area that affects reading is moving the limited English proficient students to English fluency. Too many students come to schools not speaking the English language and they cannot understand what is occurring in the classroom. Money will be available for an English Language Acquisition State Grant. This grant is for institutions of higher education to provide professional development in the instruction of limited English proficient students (Toolkit for Teachers, 2003).

When limited English language learners are being tested they must receive reasonable accommodations, for example, native language versions of the assessments. If a limited English language learner has been in U.S. schools for three consecutive years, they must be assessed in English (Toolkit for Teachers, 2003). After having more

instruction in the English language, hopefully these students will be able to effectively learn in the classroom.

Indiana

Indiana has started the state's own Reading First program. Grants have been approved for funding for the 2003-2004 school year for some Indiana school corporations. The Indiana Department of Education was the twenty-second state to be awarded and to implement Reading First programs (Indiana Reading First, 2003). Reading First focuses on having all children reading at or above grade level by the end of third grade. Indiana has set five goals to achieve this:

Goal 1: Ensuring that K-3 teachers, including special education teachers, learn about instruction and other activities based on scientifically based reading research and have the skills needed to teach reading effectively;

Goal 2: Assisting districts and schools in identifying instructional materials, programs, strategies, and approaches based on scientifically based reading research and aligned to the Indiana Academic Standards;

Goal 3: Ensuring that all programs, strategies, and activities proposed and implemented in kindergarten through third grade classrooms meet the criteria for scientifically based reading research;

Goal 4: Assisting districts and school in the selection and administration of screening, diagnostic, and classroom based instructional reading assessment with proven reliability and validity, in order to measure where students are and monitor their progress; and

Goal 5: Integrating initiatives and leveraging resources to avoid duplication of programs and services (Indiana Reading First, 2003).

The Indiana Department of Education has also established policies and procedures concerning limited English language learners. Each school corporation must administer a Home Language Survey to identify the first language of each student; the results of this survey must be placed in the student's permanent record. The school corporation must also assess all students whose first language is not English to determine how fluent the student is in English. The assessment is initially done within 30 days of the student's enrollment and must be done annually. These assessments include listening, speaking, reading, and writing abilities, and academic achievement. Standards for the placement of language minority students into instructional programs include: age appropriateness, regular instruction placement vs. instructional program that provides English language development, grade level attained in home country. Language minority students must be allowed to participate equally in the district's education program. The school must also provide safeguards to those limited English students in need of special education services, provide any needed counseling services, and provide any classroom modifications needed to ensure meaningful participation in the educational program. The school corporation needs to develop criteria to decide when limited English learners no longer need language services. Limited English learners need to have as much opportunity as possible to interact with English speaking students. The school must also provide evidence that there is communication between the school and home, and the school must maintain the student's record stating what they are learning and intervention strategies that are being used (Legal Guidelines, n.d.).

Making Safer Schools

Promoting School Safety, Rescuing Students from Unsafe Schools

Federal

Under *No Child Left Behind*, states are held accountable to improve school safety and to reduce drug use. States will receive grants to use on programs and activities that are geared towards drug and violence prevention. Schools must also let parents know if the students are attending a safe school, and if the school is not considered safe, parents have the school choice option (Educational Research Services, 2001).

Creating safer schools will support programs that prevent violence, prevent the use of drugs and alcohol, and provide a safe learning environment. The programs and activities that the school districts use for drug and violence prevention must be research based and they must meet the needs of the school. Parents are encouraged to be involved in making the schools safer. It is important to frequently evaluate these programs to make sure that the programs are effective (Parents Guide, 2003). Schools are also enforcing the *Gun-Free Schools Act* to create safer schools.

The *Gun-Free Schools Act* states that any student who brings a firearm to school or possesses a firearm in school will be expelled for at least one year. The schools must have a policy regarding students who bring weapons to school; this policy states these students bringing weapons to school must be referred to the criminal justice or juvenile delinquency system. Enforcing this act will remove dangerous students from the schools and discourage other students from bringing firearms or weapons to school (Toolkit for Teachers, 2003). The creating safer schools programs and the *Gun-Free Schools Act* will

help students and teachers feel safe so students and teachers can concentrate more on learning.

School districts must inform parents on the safety of the schools. States must establish a management and reporting system to gather information on school safety. This information must be made available to the public, including parents, school officials, and others who would like information on violence and drug use in the school. Schools need to constantly look towards making changes and creating safer schools. Parents and students may be offered school choice if violence in the school is a really big issue (Parents Guide, 2003).

Under the Unsafe School Choice Option, students that attend a public school labeled “persistently dangerous” or if a student is the victim of violence on school grounds, that student is allowed to choose a safe school to attend. If a school is identified as persistently dangerous, the school must offer a transfer option 14 days before the start of the school year (Toolkit for Teachers, 2003). With students having the option to transfer from unsafe schools and unsafe situations, the students will be able to succeed in a safer school.

Indiana

Indiana has implemented the state’s policy concerning the unsafe school choice option. A public school is considered persistently dangerous if it meets certain criteria for three consecutive years. The criteria include more than two percent of students enrolled in the school must be convicted of one of the following or have committed an act of delinquency that would constitute: a violent crime or the possession of a firearm,

deadly weapon, or destructive device. If a student is convicted or commits one of the above acts of delinquency, it must happen: in or on school grounds of the public school the student attends immediately before, during, or immediately after school hours; off school grounds at an activity, function, or event sponsored by the school; or while traveling to or from school or a school activity, function, or event on school-provided transportation (Unsafe School Choice Option, 2003).

If a school does not meet persistently dangerous criteria for two consecutive years, the persistently dangerous label will be removed. If the school does meet persistently dangerous criteria for two consecutive years, it is placed on watch status. The Indiana Department of Education will provide assistance to schools that need help during this time. While the school is on watch status, the school must provide the Department of Education with expulsion and crime data every month. If the persistently dangerous criteria are met after the third consecutive year, a panel of local and state school safety experts will meet to decide if the school should be considered persistently dangerous. A persistently dangerous school must amend its School Safety Plan by adding an action plan to address the causes of the persistently dangerous label. The Indiana Department of Education will also provide any technical assistance the school needs (Unsafe School Choice Option, 2003).

School corporations must adopt local policies and procedures that consist of a plan to notify parents of transfer options and procedures for initiating transfers. Schools must report to the Indiana Department of Education expulsions of students for possession of a firearm, deadly weapon, or destructive device, and the number of students who are the victims of crimes in the school (Unsafe School Choice Option, 2003).

A student enrolled in a school that is determined persistently dangerous is allowed to transfer to a safe public school or public charter school. The transfer remains in effect as long as the student's assigned school is considered persistently dangerous. The student must return to the assigned school when that school is no longer considered persistently dangerous or when the student reaches the highest grade level at the new school. A victim of a violent criminal offense or an act of delinquency is also allowed to transfer if that offense or act occurs: in or on school grounds of the public school the student attends immediately before, during, or immediately after school hours; off school grounds at an activity, function, or event sponsored by the school; or while traveling to or from school or a school activity, function, or even on school-provided transportation (Unsafe School Choice Option, 2003).

Conclusion

The *No Child Left Behind Act* continues to be implemented in America's schools. Changes are taking place in schools and teachers, administrators, and students are starting to adjust to the new law. There are mixed feelings about *No Child Left Behind* and how it is going to work in schools today. People are worried about funding, how it affects teachers, and how it affects students. Funding is an issue that concerns administration. The principal at East Elementary School in Portland, Indiana believes, "Philosophically *No Child Left Behind* is okay, but the issue will be funding it. Realistically it's just not going to happen. If the government *can* fund it and provide all of the resources that will be necessary, it (the law) would be very beneficial." People are also worried about how it is going to affect teachers and instructional aides who work with the students. A woman who has been an instructional aide for twenty years said, "It's great that they (the government) wants to do more so kids don't get left behind, but now they want me to take a test, and I feel like they think I'm not good enough to teach these kids anymore. If they don't think we're going to be good instructional aides, we shouldn't get hired in the first place or they should fire us." The principal at East Elementary also said, "I don't agree with the evaluation of the schools and teachers. How can you compare different groups of kids with different abilities? One year you may have a very gifted class who performs very well but the next year you have an average class that does not perform as high as last years class. Does that mean the teachers and the school have gotten worse?" One of East Elementary School's special education teachers is worried about how it is going to affect the students. She stated, "In its ideal it's a good idea, but in reality kids are going to be left behind because it's not taking into consideration the *kids'* needs and

what's best for *them*.” Overall, teachers and administrators think that the idea of *No Child Left Behind* is good, but it is asking for a lot of major changes that need to be completed in a short amount of time. It will be interesting to see how the law plays out and how education changes in America.

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